

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

JAMIE FRISBEE,

Plaintiff,

v.

STEVE LEE CHAMPION and
ALLSTATE INDEMNITY CO.,

Defendants.

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CIVIL ACTION NO. G-07-CV-217


ORDER DISMISSING CASE FOR WANT OF PROSECUTION

Plaintiff filed this action on April 23, 2007, and an Order for Initial Pretrial and Scheduling Conference was issued on the same day. Said Order required counsel to appear at 10:20 a.m. on July 13, 2007. On July 13, 2007, Defense counsel appeared before the Court, but Plaintiff's counsel failed to appear. Failing to appear for a scheduling conference results in a waste of time to both the Court and opposing counsel, and it is therefore incumbent upon counsel to ensure that they show up in a timely manner on the date requested. If an emergency or some other exigent circumstance prevents counsel from attending, counsel should make every effort to so inform the Court as soon as possible. In this case, counsel did not advise the Court that he would be unable to appear. The Court therefore **DISMISSES** this case **WITHOUT PREJUDICE** for want of prosecution.

Plaintiff may file a request for reinstatement within thirty (30) days of this Order. However, counsel is advised that the Court will likely issue sanctions for, at the very least, repayment of opposing counsel's fees for attending today.

IT IS SO ORDERED.

DONE this 13th day of July, 2007 at Galveston, Texas.



Samuel B. Kent
United States District Judge